

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/037,729	DEMARS ET AL.	
	Examiner Raj Jain	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 8/17/05.
2.  The allowed claim(s) is/are 1-9, 12, 14-19, 23, 25-29, 31-36, 39-43.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Han on October 25, 2005.

Cancel claims 10, 11, 13, 21, 22, 24, 30, 37 and 38

Replace Claims 1, 14 and 26 with following Amended claims 1, 14 and 26;

1. **(Currently Amended)** A method of creating a packet using a digital signal processor, the method comprising the steps of:
  - receiving call set-up information;
  - receiving call data;
  - creating a data portion of the packet using the call data;
  - creating one or more headers using the call data and the call set-up information wherein the one or more headers comprises a media access control header and wherein said media access control header is created using the call set-up information;
  - and

creating the packet by attaching the one or more headers to the data portion of the packet.

14. **(Currently Amended)** An apparatus comprising:  
an array of digital signal processors;  
each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information wherein said one or more headers comprises a media access control header and wherein said media access control header is created using the call set-up information, and create the packet by attaching the one or more headers to the data portion of the packet.

26. **(Currently Amended)** A communications switch comprising:  
one or more cards having ingress, signal processing and egress functions, wherein the signal processing function comprises one or more arrays of digital signal processors, each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information wherein the one or more headers comprise a media access control header and wherein the media access control header is created using the call set-up information, and create the packet by attaching the one or more headers to the data portion of the packet;  
one or more control cards containing one or more processors;

a switch fabric communicably coupling the one or more cards and the control cards; and

a TDM bus communicably coupling the one or more cards and the control cards.

**Add new claims 41-43;**

**41. (New)** A method of creating a packet using a digital signal processor, the method comprising the steps of:

receiving call set-up information;

receiving call data;

creating a data portion of the packet using the call data;

creating one or more headers using the call data and the call set-up information, further comprising the steps of:

requesting an overlay based on the call set-up information; and

receiving and loading the overlay; and

creating the packet by attaching the one or more headers to the data portion of the packet.

**42. (New)** An apparatus comprising:

an array of digital signal processors;

each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information, wherein each digital signal processor is further programmed to request an overlay based on the call set-up information, and receive and load the overlay, and create the packet by attaching the one or more headers to the data portion of the packet.

**43. (New)** A communications switch comprising:

one or more cards having ingress, signal processing and egress functions,

wherein the signal processing function comprises one or more arrays of digital signal processors, each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information and create the packet by attaching the one or more headers to the data portion of the packet wherein each digital signal processor is further programmed to request an overlay based on the call set-up information and receives and load the overlay;

one or more control cards containing one or more processors;  
a switch fabric communicably coupling the one or more cards and the control cards; and  
a TDM bus communicably coupling the one or more cards and the control cards.

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Claims 1, 14, and 26, are allowed. The prior art discloses a communications switch having one or more arrays of digital signal processors, each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information

The prior art however fails to disclose wherein the one or more headers comprises a media access control header and wherein the media access control header is created using the call set-up information, and create the packet by attaching the one or more headers to the data portion of the packet;

Claims 41-43 are allowed. The prior art discloses a communications switch having one or more arrays of digital signal processors, each digital signal processor programmed to receive call set-up information, receive call data, create a data portion of a packet using the call data, create one or more headers using the call data and the call set-up information

The prior art however fails to disclose wherein each digital signal processor is programmed to request an overlay based on the call set-up information, and receive and load the overlay, and create the packet by attaching the one or more headers to the data portion of the packet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

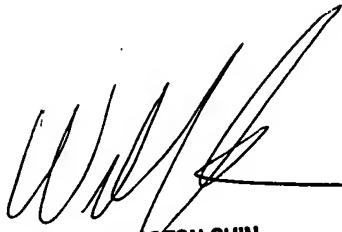
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax number for the organization where this application is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

RJ  
October 26, 2005



WELLINGTON CHIN  
SUPERVISORY PATENT EXAMINER